

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under G.O.Ms.No.24, dt.12.6.2018 of TW (LTR.1) Department – Cancellation of certificate by the Collector & District Magistrate, Adilabad District vide Procs.Rc.No.C3/2282/2019-1, dt.25.11.2020 - Appeal filed by Rathod Arun Kumar S/o Vinayak Rao R/o Heerapur village of Indervelly Mandal of Adilabad District – Appeal allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No. 34**

**Dated: 07-04-2021**  
**Read the following:-**

1. G.O.Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Procs.Rc.No.C3/2282/2019-1, dt.25.11.2020 of the Collector & District Magistrate, Adilabad District.
3. Appeal petition filed by Rathod Arun Kumar S/o Vinayak Rao R/o Heerapur village of Indervelly Mandal of Adilabad District, dated 18.01.2021.
4. Govt.Memo.No.117/TW.LTR/2021, dated 29.01.2021 & 06.02.2021.
5. Lr.Rc.No.D5/309/2018, dated: .02.2021 of the PO, ITDA, Utnoor, Adilabad District.
6. Notice No.117/TW.LTR/2021, dt:06.02.2021.

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**ORDER:**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Collector & District Magistrate, Adilabad vide her orders in the reference 2<sup>nd</sup> cited, has cancelled Agency Area Local ST Certificate bearing Rc.No.C/638/2019, dt.27.08.2019 issued by the Tahsildar, Indervelly to Rathod Arun Kumar S/o Vinayak Rao R/o Heerapur village of Indervelly Mandal of Adilabad District and also declared him as not a local ST as per definition of GO Ms.No.24, TW (LTR.1) Department, dated 12.06.2018, basing on the following grounds of the Scrutiny Committee headed by the Project Officer, ITDA, Utnoor.

- i) Rathod Arun Kumar S/o Vinayak Rao had appeared before the Committee and submitted documents – Family Tree; Caste Certificate CND021709869797, dt.25.09.2017 issued by the Tahsildar, Indervelly; Migration Certificates issued by the Tahsildar, Gudihathnoor vide Lr.No.C/097/2019, dt.14.03.2019 and C/723/2019, dt.17.09.2019; Voter list for the year 1997; Pattedar Pass Book in the name of Rathod Vinthu S/o Bhura R/o Pochampally (vg) of Sirikonda Mandal; Pattedar Pass Book in the name of Rathod Premsingh S/o Jarsing R/o Muthnur (vg) of Gudihathnoor Mandal; Khasra Pahani for the year 1954-55; Pahani copies of 1962-63, 1969-70, 1982-83, 1989-90, 2001-02 and 2009-10; Final Patta Certificate for the year 1990 in the name of Rathod Vinthu S/o Bhura.

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- ii) Scrutiny Committee has verified the documents produced by the individual and concluded with the following findings:
  - Migration Certificate is not related.
  - Applicant has not produced documents since 1950.
- iii) In compliance to the Show Cause Notice issued by the District Collector, Adilabad, the individual appeared before the District Collector on 23.09.2020 and submitted reply with and connected documents to prove his claim as local ST.
  - As per Migration Certificate issued by the Tahsildar, Gudihathnoor, his forefather residing at Muthnur village of Gudihathnoor Mandal was not mentioned in the Certificate.
  - As per family tree candidate's grandfather is Bhurya (Bhura) S/o Pratapsingh but candidate claiming that Jorsingh S/o Pratap as his grandfather; name of Bhurya (Bhura) S/o Pratapsingh is not recorded in any land documents; though Jorsingh S/o Pratapsingh was his grandfather he was recorded from 1989-90 onwards only; the land documents and family tree are not tallied.
  - On verification, Sy.No.16 is recorded as Govt.land and kept fallow, but candidate submitted copies of pahani of Sy.No.16 stating that Jorsingh S/o Pratapsingh (claimed as his grandfather) recorded in 1950, 1954-55 years.
  - Documents submitted in respect of Sy.No.1/276 of Pochampally village of Sirikonda Mandal in the name of his father Sri Vinthu S/o Bhura only from 1990 to till date are clear and documents before 1990 are not clear.
  - Moreover, he did not produce any other documentary evidence to prove his or her forefather's residence in Agency area since 1950.

3. Aggrieved by the above cancellation orders of the Collector & District Magistrate, Adilabad District, the Appellant Rathod Arun Kumar S/o Vinayak Rao R/o Heerapur village of Indervelly Mandal of Adilabad District vide ref. 3<sup>rd</sup> read above, has filed an Appeal before the Government. The contentions of Rathod Arun Kumar S/o Vinayak Rao and the following documents submitted along with the Appeal and during hearing on 12.02.2021 in proof of his claim that he belongs to agency area local ST category.

i) Family Tree:

- Pratha@ Prathap Singh S/o Lalu is great grandfather of appellant. He has five sons namely 1) Sura 2) Bura @ Bhurya @ Bhoorsingh 3) Gambira @ Gambirsingh 4) Parsuram 5) Jorsingh.
- Bhura Singh @ Bhura @ Bhurya is grandfather of appellant and he has two sons namely i) Vinayak Rao (father of appellant) and ii) Ganesh.
- Vinayak Rao (Vintu) (father of appellant) has two children

namely i) Arun Kumar (son and appellant) and ii) Ambika (daughter).

- ii) 1358 Fasli (1948 year) – village: Harkapur, Indervelly Mandal – name of great grandfather Praty S/o Sakaru was recorded at Sl.No.20 under Sy.No.13 for an extent of acs.6.00 (as translated by authorized person namely Nagorao Jhade, Marathi Modi Translator R/o Mahagaon, Mdl: Narnoor, District Adilabad).
- iii) Pahani for the year 1982-83 – Muthnoor village – shows name of Bhoorsingh S/o Prathapsingh (great grandfather) as pattedar for an extent of 5.00 acres in Sy.No.16.
- iv) Pahani for the year 1989-90 – Muthnoor village – shows name of Jorsingh S/o Prathapsingh (grandfather of appellant) for an extent of acs.6.00 in Sy.No.16/9.
- v) Final Patta Certificate bearing Rc.No.A/TGMS/9/1980, dt.18.8.1990 issued by Special Dy. Tahsildar, TGMS (Telugu Girijana Magana Samaradhana Scheme) to Sri Rathod Vinthu S/o Bhura R/o Laltekdi for an extent of acs.7.31 in Sy.No.1/276 situated at Pochampalli village of Indervelly Mandal.
- vi) Pattedar Pass Book bearing No.984584 under Patta No.229 issued by Mandal Revenue Officer, Indravelli of Adilabad District in favour of Rathod Vinthu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.
- vii) Pahani for the year 1996-97 – Pochampalli village – Sirikonda Mandal – shows name of Rathod Vinthu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.
- viii) Pahani for the year 1999-2000 – shows name of Rathod Vinthu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.
- ix) Pahani for the year 2001-02 – Muthnoor village – Gudihathnoor Mandal – shows name of Jorsingh (eldest brother of grandfather of appellant) for an extent of acs.6.00 in Sy.No.16/9.
- x) Pahani for the year 2007-08 – Pochampalli village – shows name of Rathod Vinthu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.
- xi) Pahani for the year 2009-10 – Muthnoor village – Gudihathnoor Mandal – shows name of Jorsingh (eldest brother of grandfather of appellant) for an extent of acs.6.00 in Sy.No.16/9.
- xii) Pahani for the year 2011-12 – Pochampalli village – shows name of Rathod Vinthu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.

- xiii) Pahani for the year 2013-14 – Pochampalli village – shows name of Rathod Vinthu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.
- xiv) New PPB bearing No.T13150060179, Khata No.229 issued by Tahsildar, Sirikonda Mandal of Adilabad District in favour of Rathod Vinthu S/o Bhoora (father of appellant) for an extent of acs.7.31 gts in Sy.No.1/276.
- xv) Voter list for the year 1977 – 241 Boath Assembly Constituency – Part No.141 – village: Muthnoor – Firka: Hathnoor, Taluq: Boath – show names of 1) Pratapsingh S/o Lalu (great grandfather), 2) Drupathibai W/o Pratapsingh, 3) Jhoorsingh S/o Prathapsingh (grandfather of appellant), 4) Sundabai W/o Jhoorsingh (grandmother of appellant) at Sl.Nos.577, 578, 579 and 580 respectively.
- xvi) Voter list for the year 1977 – 241 Boath Assembly Constituency – Part No.45 – village: Heerapur – Firka: Ichoda, Taluq: Boath – show names of 1) Bhoorya (Pratapsingh) (grandfather of appellant) at Sl.No.137 and 2) Yemunabai W/o Bhoorya (grandmother) at Sl.No.138.
- xvii) Certificate bearing No.C/723/2019, dt.17.09.2019 issued by Tahsildar, Gudihathnoor to Sri Rathod Arun Kumar S/o Rathod Vinayak Rao R/o Muthnoor Thanda village of Gudihathnoor Mandal certifying that he belongs to ST Lambada Tribe migrated from Laltekdi H/o Heerapur (W) village of Indravelly Mandal to 1983. Forefathers of applicant resided in the village Muthnoor thanda from 1950 to 1983. The said certificate was issued as per records produced i.e. Sethwar & Kasrapahani.
- xviii) Agency Area Local ST Certificate bearing Rc.No.C/638/2019, dt.27.08.2019 by Tahsildar, Indervelly to Sri Rathod Arun Kumar S/o Rathod Vinayak Rao certifying that he belongs to Lambadis ST community and that his grandparents have been continuously residing at Walgonda Heerapur village of Indervelly Mandal of Adilabad District since 26.01.1950.
- xix) Resolution dt.4.12.2020 by Sarpanch, GP Muthnoor Thanda and Panchayat Secretary, GP Muthnoor Thanda – wherein it was certified that Sri Rathod Pratap S/o Lalu (great grandfather of appellant) resided in Muthnoorthanda village of Gudihathnoor Mandal from 1950 to 1983 doing cultivation and later migrated to Laltekdi of GP Heerapur, Indravelli Mandal for livelihood.
- xx) Resolution by GP Heerapur, Indravelli Mandal – that Rathod Vinayak Rao S/o Bhoorasingh R/o Laltekdi has been living in the village from 1983 to till date doing agriculture.
- xxi) Resolution by Sarpanch, GP Heerapur – that Rathod Arun Kumar has been living in the village from forefathers till date taking their livelihood on agriculture.

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4. Vide reference 4<sup>th</sup> read above, the District Collector, Adilabad has been requested to submit connected documents pertaining to the case along with para-wise remarks.

5. Accordingly, vide reference 5<sup>th</sup> read above, the PO, ITDA, Utnoor, Adilabad District has submitted connected documents of the case along with remarks/findings of the Scrutiny committee

6. Accordingly, vide reference 6<sup>th</sup> read above, the Appellant has attended for hearing on 12.02.2021 at 2.PM before the Government and submitted the documents as submitted along with appeal Petition.

7. Examined the documents available on the record of PO ITDA Utnoor and documents submitted by the appellant before the Government. The following observations are made:

- i) In Certificate bearing No.C/723/2019, it was certified that "Rathod Arun Kumar S/o Rathod Vinayak Rao is resident of Muthnoor thanda village of Gudihathnoor Mandal belongs to ST-Lambada Tribe migrated to Laltekdi H/o Heerapur (W) village of Indervelly Mandal in 1983 and his forefathers resided at Muthnoor thanda village from 1950 to 1983 as verified from Sethwar and Khasra Pahani. Admittedly, the Tahsildar, Gudihathnoor after due verification of the documents might have mentioned that forefathers of the appellant lived in Muthnoor tanda village and later migrated to Laltekdi H/o Heerapur (W) in the year 1983. Even as per 1358 Fasli (1948 year) related to Harkapur village of Indervelly Mandal – name of great grandfather Pratya S/o Sakaru was recorded at Sl.No.20 under Sy.No.13 for an extent of acs.6.00 (as translated by the same translator namely Sri Nagorao Jhade, Marathi Modi Translator R/o Mahagaon, Mdl: Narnoor, District Adilabad). Therefore, the plea taken by the Scrutiny Committee that names of forefathers of appellant were not mentioned in the Migration Certificate appears not proper.
- ii) The family tree as drawn by the VRO Heerapur and MRI Indravelli after due enquiry in the village establishes that Sri Pratapsingh is great grandfather of appellant and he has five sons namely 1) Sura 2) Bura 3) Gambira 4) Parsuram and 5) Jorsingh. Admittedly, as per family relation, all these are grandfathers to the appellant and Rathod Vinayak Rao @ Vinu (father of appellant) was born to Bhura @ Bhura (grandfather of appellant).

Names of following ancestors of appellant were recorded in the land records:

1. Pratya S/o Lalu (great grandfather of appellant)

1358 Fasli (1948 year) – village: Harkapur, Indervelly Mandal – name of great grandfather Pratya S/o Sakaru was recorded at Sl.No.20 under Sy.No.13 for an extent of acs.6.00 (as translated by authorized person namely Nagorao Jhade, Marathi Modi Translator R/o Mahagaon, Mdl: Narnoor, District Adilabad).

2. Jorsingh S/o Pratap (brother of grandfather Bhoora @ Bhurya)

Pahani for the year 1989-90 – Muthnoor village – shows name of Jorsingh S/o Prathapsingh (grandfather of appellant) for an extent of acs.6.00 in Sy.No.16/9.

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3. Bhurasingh @ Bhura (grandfather of appellant)

Pahani for the year 1982-83 – Muthnoor village – shows name of Bhoorsingh S/o Prathapsingh (great grandfather) as pattedar for an extent of 5.00 acres in Sy.No.16.

4. Rathod Vinayak Rao @ Vintu (father of appellant)

a) Final Patta Certificate bearing Rc.No.A/TGMS/9/1980, dt.18.8.1990 issued by Special Dy Tahsildar, TGMS (Telugu Girijana Magana Samaradhana Scheme) to Sri Rathod Vintu S/o Bhura R/o Laltekdi for an extent of acs.7.31 in Sy.No.1/276 situated at Pochampalli village of Indervelly Mandal.

b) Pahani for the year 1999-2000 – shows name of Rathod Vintu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.

c) Pahani for the year 1996-97 – Pochampalli village – Sirikonda Mandal – shows name of Rathod Vintu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.

d) Pahani for the year 2007-08 – Pochampalli village – shows name of Rathod Vintu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.

e) Pahani for the year 2011-12 – Pochampalli village – shows name of Rathod Vintu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.

f) Pahani for the year 2013-14 – Pochampalli village – shows name of Rathod Vintu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.

g) Pattedar Pass Book bearing No.984584 under Patta No.229 issued by Mandal Revenue Officer, Indravelli of Adilabad District in favour of Rathod Vintu S/o Bhoora (father of appellant) for an extent of acs.7.31 in Sy.No.1/276.

h) New PPB bearing No.T13150060179, Khata No.229 issued by Tahsildar, Sirikonda Mandal of Adilabad District in favour of Rathod Vintu S/o Bhoora (father of appellant) for an extent of acs.7.31 gts in Sy.No.1/276.

Thus, the land documents are tallied with family tree.

- iii) As per 1358 Fasli (1948 year) – village: Harkapur – Indervelly Mandal – name of great grandfather i.e. Praty S/o Sakaru was recorded at Sl.No.20 under Sy.No.13 for an extent of acs.6.00 (as translated by the authorized translator namely Nagorao Jhade, Marathi Modi Translator R/o mahagaon, Mdl: Narnoor, District

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Adilabad. The pahanies of 1950 and 1954-55 are subsequent years – the oldest one i.e. 1358 Fasli established that an extent of acs.6.00 was recorded in the name of great grandfather of appellant Sri Praty S/o Sakaru at Sl.No.20 under Sy.No.13.

8. Besides the above documentary evidences produced by the appellant, the GP resolution dt.4.12.2020 by Sarpanch, GP Mutyhnor Thanda and Panchayat Secretary GP Muthnoor Thanda establishes that Sri Rathod Pratap S/o Lalu (great grandfather of appellant) resided in Muthnoor thanda village of Gudihathnoor Mandal from 1950 to 1983 doing cultivation and later migrated to Laltekdi of GP Heerapur, Indravelli Mandal for livelihood, GP resolution of Heerapur village of Indravelli Mandal establishes that Rathod Vinayak Rao S/o Bhoorasingh R/o Laltekdi has been living in Laltekdi from 1983 to till date and doing agriculture.

9. Thus, the family tree, land records, electoral rolls, certifications made by the field officers i.e. Village Revenue Officer, Mandal Revenue Inspector and certificates issued by the Tahsildar, Gudihathnoor and Indravelli, resolutions made by the Gram Panchayats, Muthnur thanda of Gudihathnoor and Heerapur of Indravelli Mandal amply establish that the appellant and his forefathers have been the continuous residents of agency villages Muthnur thanda and Laltekdi H/o Heerapur villages of Adilabad District.

10. As seen from the record, in the instant case, there is no complaint made against the appellant Rathod Arun Kumar S/o Vintu @ Vinayaka Rao (Parshuram) and the District Collector, Adilabad, ought to have informed the same to the appointing authority about his genuineness as per the above directions of the Hon'ble High Court, and instead conducted inquiry into the genuineness of his LSTAC bearing No.C/638/2019, dated 27.08.2019 issued by the Tahsildar, Indravelli and cancelled it besides declaring the appellant as not belongs to Agency Area Local ST of Adilabad District. Non-compliance of directions of the Hon'ble High Court will attract contempt proceedings. On this count also, the cancellation orders of the District Collector, Adilabad, are liable to be set-aside.

11. Government after careful examination of the documents available on record sent by the PO, ITDA, Utnoor, Adilabad District, and documents submitted by the Appellant and along with the Appeal Petition, during hearing on 12.02.2021 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, dated 14.9.2018 it is found that the appellant Rathod Arun Kumar S/o Vintu @ Vinayak Rao and his fore-fathers have been the continuous residents of agency villages Muthnoor thanda of Gudihathnoor Mandal and Laltekdi H/o Heerapur (W) village of Indravelli Mandal from 1950 and hence the LSTAC bearing No.C/638/2019, dt.27.08.2019 issued by the Tahsildar, Indravelli, is treated genuine and valid.

12. Accordingly, Government hereby set aside orders of the Collector & District Magistrate, Adilabad in Procs.Rc.No.C3/2282/2019-1, dated 25.11.2020, and allow the Appeal Petition filed by Rathod Arun Kumar S/o Vinayak Rao R/o Heerapur village of Indervelly Mandal of Adilabad District.

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13. The Collector & District Magistrate, Adilabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr. CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Adilabad District.

Rathod Arun Kumar S/o Vinayak Rao R/o Heerapur village of Indervelly  
Mandal of Adilabad District.

Copy to:

1. The Secretary, Telangana State Public Service Commission,  
Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Utnoor, Adilabad District  
(for information & necessary action)
3. The District Panchayat Officer, Adilabad  
(for information & necessary action)
4. The PS to Hon'ble Minister for ST Welfare (for information)
5. The PS to Secretary (TW)
6. The PS to Special Secretary (TW)  
SF/SC.

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**